

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

CASE NO. 12-CR-20292

vs.

HON. STEPHEN J. MURPHY III

D-1 DAVID EDWARDS,

Defendant.

SENTENCING MEMORANDUM OF THE UNITED STATES

The United States of America, through the undersigned Assistant United States Attorney, submits the following as its Sentencing Memorandum in the case of defendant David Edwards:

The Defendant is guilty of a serious crime wherein he breached his position of trust as a public official of Wayne County, Michigan. The Defendant used his position as a public official in order to take \$13,000 in cash from a Wayne County contractor. This breach of the law and his position of trust was a serious crime. The punishment of the Court should send a clear message to other public officials that such conduct cannot and will not be tolerated. This case is an important instance of the need to deter other public officials in southeastern Michigan from breaking the law and taking advantage of their public offices in order to get cash and illegal gratuities.

As a result, a sentence of imprisonment is needed because of the seriousness of the crime, the need for general deterrence, and the need to promote respect for the law. The public needs to know that government officials who take thousands of dollars in cash because of their positions of trust will be punished.

I. The Defendant's Crime Was Serious

The Defendant's criminal act as a public official was a serious crime. Because of his position as a public official, defendant Edwards owes a duty to provide clean and not corrupt government to everyone in Wayne County. Ultimately, public officials who demand payments for their own personal benefit from contractors raise the costs of public contracts, which are paid for by the taxpayers. This conduct also results in the retention of unqualified and unscrupulous contractors who are willing to give cash to public officials, rather than contractors willing to serve the public.

Defendant Edwards took \$13,000 in cash from a county contractor. The Defendant had been working with and overseeing work that the contractor was doing for the county's information technology department. Instead of simply doing his job and serving the public interest, defendant Edwards chose to serve his own interests. Such corruption of government officials is a significant problem in southeast Michigan, and the Defendant's contribution to that corruption was a serious crime.

II. Other Public Officials Need to Be Deterred From Taking Bribes and Illegal Gratuities

The sentence imposed on defendant Edwards must be sufficient to deter other government officials from taking advantage of their positions of trust for personal gain. Although there is little, if any, need to deter defendant Edwards from future criminal acts, there is a strong need to send a decisive message to other public officials that they will receive serious punishment if they abuse their positions of trust. Every day, public officials face the temptation of abusing their positions of power and trust. A sentence of imprisonment will send a strong message to public officials in southeast Michigan to not abuse their positions of trust. Government officials are uniquely positioned to take illegal gratuities and kickbacks from contractors they oversee, and a sentence of imprisonment on defendant Edwards will help to deter corrupt decisions from being made in wielding that power.

III. The Sentence Imposed Should Promote Respect for the Law

Given the Defendant's position as a public official, it is important that the Court's sentence promote respect for the law. A sentence of imprisonment would demonstrate that no one is above the law, no matter their position as a government

official. In fact, public servants should be held to a higher standard given their positions of trust, power, and responsibility.

IV. The Defendant Has Demonstrated Genuine Remorse

Unlike many defendants who appear before the Court, defendant Edwards has demonstrated sincere and genuine remorse and acceptance of responsibility. The Court should take this fact into consideration in fashioning a sentence.

V. Conclusion

The United States respectfully requests that the Court impose a custodial sentence on the Defendant. Such a sentence would deter other public officials, is necessary given the seriousness of the Defendant's crime, and would be just punishment for his crime. The Court also should recognize the Defendant's efforts towards cooperation, as well as his sincere acceptance of responsibility.

Respectfully submitted,

BARBARA L. MCQUADE
United States Attorney

/s/ DAVID A. GARDEY

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Dated: August 14, 2013

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2013, I caused the foregoing document to be filed with the Clerk of the Court, and caused a copy of this document to be served on the following:

Maurice G. Morton

/s/ DAVID A. GARDEY

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